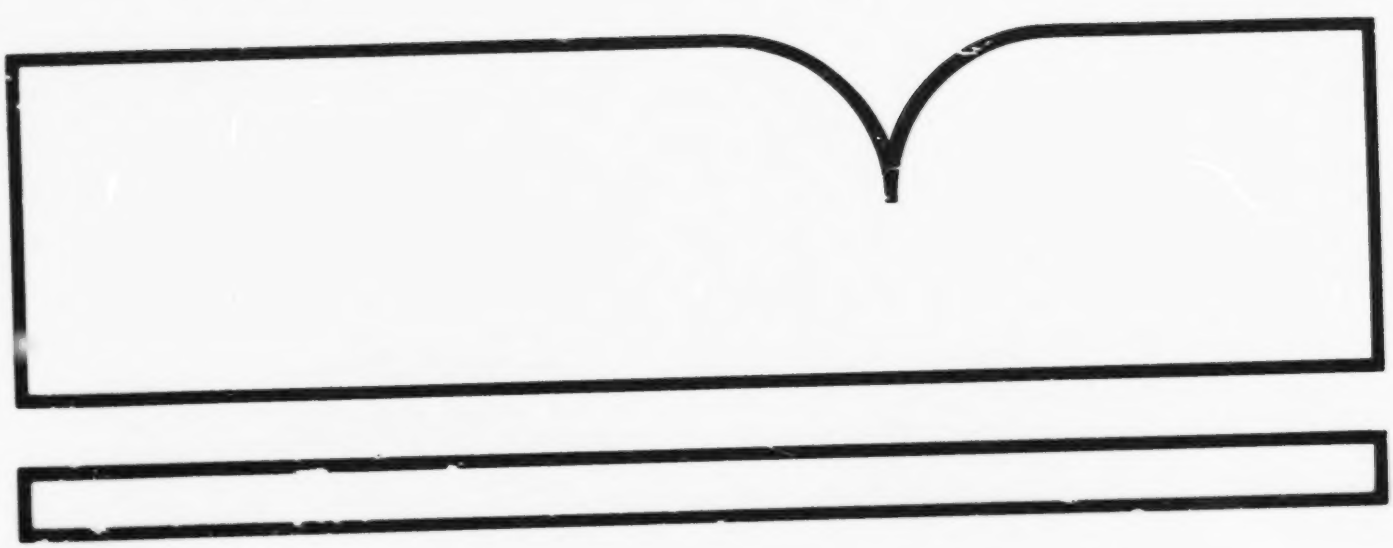
PB90-249608

Listing Municipal Landfills on the NPL

(U.S.) Environmental Protection Agency, Washington, DC

21 Aug 87



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United States Environmental Protection Agency

Office of Solid Waste And Emergency Response

EPA

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See Also: RCRA/CERCLA Interface Series 9347, and NPL Series 9320.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 21 1987

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

OSWER Directive 9320.1-09

MEMORANDUM

SUBJECT: Listing Municipal Landfills on the NPL

FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response

TO: Director, Waste Management Division
Regions I, IV, V, VII, and VIII
Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Region III and VI
Director, Toxics and Waste Management Division
Region IX
Director, Hazardous Waste Division
Region X

This memo is a followup to my October 24, 1986, memo (see attached) regarding listing municipal landfills on the National Priorities List (NPL). In that memo, I deferred listing municipal landfills on Update #6 that did not have a clear record of accepting hazardous waste. I believe it is important to understand the intent of that memo and clarify procedures for submission of municipal landfills in the next proposed update.

At the time I issued the October 1986 memo, it appeared that municipal landfills were being submitted by the Regions in increasing numbers. I wanted to ensure that these municipal landfill sites were appropriate for Superfund remedial action. Therefore, as a management tool, I required a clear record of hazardous waste disposal for sites to be considered eligible for the Update #6 proposed rulemaking.

As you are aware, at the time I issued the October 1986 memo, the Agency had recently promulgated the RCRA Subtitle C deferred NPL listing policy (51 FR 21054). The Office of Solid Waste (OSW) will soon propose revisions to the Subtitle D Criteria for Classification of Solid Waste Disposal Facilities and Practices set forth in 40 CFR Part 258. This rule will propose specific requirements for new and existing municipal solid

waste landfills, including ground water monitoring and corrective action for these facilities. Municipal solid waste landfills that close prior to the effective date of the rule are proposed to be excluded from the rule. I viewed the RCRA Subtitle D authority for municipal landfills as a possible corollary to the RCRA Subtitle C deferred NPL listing policy.

It was our experience with Update #6 that the Regions had difficulty documenting hazardous waste disposal at several landfills even though there may have been an indication that hazardous substances were being released from the landfill. It was not my intention in the October 1986 memo to defer from placement on the NPL a serious environmental threat, e.g., a municipal landfill with a documented release of hazardous waste or indication of the presence of hazardous waste. Rather my intention was to ensure that the Superfund program concentrate on those sites that cannot be addressed sufficiently through another authority.

I continue to believe it is important to ensure that the Superfund program focuses on the cleanup of hazardous waste sites that cannot be addressed sufficiently by another authority. At the same time, however, I will not place restrictions that impede the listing of serious public health or environmental threats. Therefore, you may submit municipal landfills that score above 28.50 for listing on the NPL without a record of hazardous waste disposal. I request, however, that you submit a cover letter with each municipal landfill HRS package. This letter should discuss the site's history to indicate the types of materials disposed at the site, any monitoring data indicating a release from the site, and an assessment of the environmental and public health risks at the site based on information contained in the preliminary assessment, site inspection, and HRS package. I believe this approach will help us make better environmental management decisions at municipal landfill sites.

We will closely follow the Subtitle D rule and will develop an appropriate policy for municipal landfills prior to scoring sites under the revised HRS.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 24 1988

OSWER Directive 9320.1-08

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MEMORANDUM

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FROM: Henry L. Longest II, Director
Office of Emergency and Remedial Response

TO: Director, Emergency and Remedial Response Division
Region II
Director, Hazardous Waste Management Division
Region III
Director, Waste Management Division
Region IV and V
Director, Toxics and Waste Management Division
Region IX

The purpose of this memo is to outline the Agency's position regarding listing municipal landfills on the National Priorities List (NPL). Municipal landfills, and private landfills that accepted municipal waste, are being submitted by the Regions for addition to the NPL in increasing numbers. As a result, the Agency needs to evaluate whether municipal landfills that do not have a clear record of accepting hazardous waste should be included on the NPL. The current position, therefore, is that municipal landfills that have a record of hazardous waste disposal will be included in the next proposed update to the NPL scheduled for November. Those sites that have passed quality assurance review, but for which no record of hazardous waste disposal exists, will not be included in the next update, but rather will be set aside while the Agency develops a policy for listing these sites. Since NPL updates occur more frequently than in the past, we believe that temporarily setting aside sites that raise unresolved policy issues will allow the proposal to move ahead while not holding up sites for too long.

The specific sites in your Region that have been dropped from consideration for Update #6 are listed in the attachment. If additional information regarding hazardous waste disposal at these sites can be obtained, please send it to Mr. Harold J. Snyder, Chief, Discovery and Investigation Branch (WH-548E).

We believe that this issue is very important and are interested in the Regional perspective. Consequently, if you have any comments or questions regarding this issue, please forward them to my office.

Attachment

Attachment to OSWER Directive 9320.1-08 (October 24, 1986)

MUNICIPAL LANDFILLS WITHOUT A RECORD OF HAZARDOUS WASTE DISPOSAL

DEFERRED FROM NATIONAL PRIORITIES LIST UPDATE #6

Region II:

Horstmann's Dump, East Hanover, NJ
Islip Sanitary Landfill, Islip, NY

Region III

Novak Sanitary Landfill, Lehigh County, Pa.
Bush Valley Landfill, Abingdon, Md.

Region IV

Wingate Road Incinerator Dump, Ft. Lauderdale, Fla.

Region V

Yeoman Creek Landfill, Waukegan, Ill.
Himco Dump, Elkhardt, Ind.
DuPage City Landfill/Blackwell Forest, Warrenville, Ill.

Region IX

Fresno Sanitary Landfill, Fresno, Ca.